IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

CRI. WRIT PETITION NO. 2306 OF 2004

Office Notes, Office Memoranda of :
of Coram, appearances, Court's orders : Court's or Judge's orders
and Registrar's orders. :

Mrs. Sonia Miskin, advocate appointed for the petitioner.

Mr. D.S. Mhaispurkar, A.P.P. for the respondents.

CORAM: R.M.S. KHANDEPARKAR &
P.V. KAKADE, JJ.

DATED: 18TH FEBRUARY, 2005

P.C.:

1. Heard. Perused the record. The application for furlough leave has been rejected on the ground that if he is released on furlough leave he may not return back to the jail. Undisputedly, earlier, the petitioner was released on furlough leave and he had returned back in time. Being so, the apprehension expressed by the respondents that petitioner may not return to the jail after the furlough leave is over is totally unfounded and without any basis. The application if rejected on the said ground cannot be sustained and is set aside. The respondents are directed to grant furlough leave in relation to the application filed by

the petitioner and to take appropriate steps to release the petitioner on furlough leave within two weeks from today. Needless to say that the respondents shall ensure other formalities in accordance with the provisions of law while releasing the petitioner on furlough leave. With these directions, the petition stands disposed of.

(R.M.S. Khandeparkar, J.)

(P.V. Kakade, J.)